

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

v.

RICHARD MARTINEZ,

Defendant.

**PROTECTIVE ORDER**

**21 Cr. 27 (RA)**

Upon the application of the United States of America, Audrey Strauss, United States Attorney for the Southern District of New York, Assistant United States Attorney Jacob R. Fiddelman, of counsel, and with the consent of defendant Richard Martinez, through counsel, for an order limiting the dissemination of any and all discovery materials produced in connection with the above-captioned case, which contains sensitive information, it is hereby ORDERED that:

1. The Government has made and will make disclosure to the defendant of documents, objects and information, including electronically stored information, pursuant to Federal Rule of Criminal Procedure 16, 18 U.S.C. § 3500, and the Government's general obligation to produce exculpatory and impeachment material in criminal cases (the "Disclosure Material"). The Disclosure Material will include material that (i) affects the privacy and confidentiality of individuals; (ii) would impede, if prematurely or publicly disclosed, the Government's ongoing investigation of uncharged individuals; (iii) would risk prejudicial pretrial publicity if publicly disseminated; and/or (iv) that is not authorized to be disclosed to the public or disclosed beyond that which is necessary for the defense of this criminal case.

2. Disclosure Material shall not be disclosed by the defendant or defense counsel, including any successor counsel (collectively, "the defense") other than as set forth herein, and shall be used by the defense solely for the purpose of defending this criminal action. The defense shall not post any disclosure material on any internet site or network site to which persons other

than the parties hereto have access, and shall not disclose any Disclosure Material to the media or any third party except as set forth below.

3. The defense may disseminate Disclosure Material only to the defendant, defense counsel, investigative, secretarial, clerical, and paralegal personnel employed full-time or part-time by defense counsel, independent expert witnesses, investigators, or advisors retained by the defense counsel in connection with this action, and other prospective witnesses and their counsel, to the extent deemed necessary by defense counsel, for the purpose of defending this criminal action, and such other persons as hereafter may be authorized by the Court upon motion by the defendant.

4. The defense must destroy or return any Disclosure Material at the conclusion of the trial of this matter or when any appeal has terminated and the judgment has become final, subject to defense counsel's obligation to retain client files under the Rules of Professional Conduct.

[Remainder intentionally blank]

5. The provisions of this Order shall not terminate at the conclusion of this criminal prosecution, and the Court will retain jurisdiction to enforce this Order following termination of the case.


AGREED AND CONSENTED TO:

AUDREY STRAUSS  
United States Attorney

by: 

Jacob R. Fiddelman  
Assistant United States Attorney

Date: 2/2/21

  
Tamara Giwa, Esq.  
Counsel for Richard Martinez

Date: 2/2/21

SO ORDERED.

Dated: New York, New York  
February 4, 2021

  
HONORABLE RONNIE ABRAMS  
UNITED STATES DISTRICT JUDGE